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CONTINUING APPROPRIATIONS, 1986

SEPTEMBER 25 (legislative day, SEPTEMBER 23), 1985.—Ordered to be printed

Mr. HATFIELD, from the Committee on Appropriations, submitted the following

REPORT

[To accompany H.J. Res. 388]

The Committee on Appropriations, to which was referred the joint resolution (H.J. Res. 388) making continuing appropriations for fiscal year 1986, and for other purposes, reports the same to the Senate without amendment and presents herewith information relative to the recommended joint resolution.

INTRODUCTION

The Senate has passed only 2 of the 13 regular fiscal year 1986 appropriation bills: Energy-Water Development and Legislative Branch. This Committee now finds itself in the position of having none of the regular 13 appropriation bills enacted while only 6 days remain until the October 1 start of the new fiscal year.

It is the desire of the Congress and the administration to make final decisions on appropriation bills in the context of the spending levels set forth in the budget resolution adopted by the Congress. However, extensive delay in the adoption of the first concurrent budget resolution for fiscal year 1986 has again prevented timely action on appropriation bills. Under the Congressional Budget Act of 1974, the Congress is to complete action on a first budget resolution for the fiscal year beginning on October 1 of such year by May 15. The Senate did not pass a first concurrent resolution on the budget for fiscal year 1986 until May 9; the Congress did not adopt the conference report on that resolution until August 1, almost 3 months beyond the Budget Act deadline. This has left less than 1 month for the appropriations process to occur before the October 1 start of the new fiscal year. The Committee finds this delay unfortunate. Late action on the budget resolution backs up the work of the authorizing and appropriations committees, making timely action by these committees impossible to achieve.

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The House and Senate Committees on Appropriations have made every effort to move ahead on the regular fiscal year 1986 appropriation bills. The House began to mark up bills on June 20, 1985, on the basis of the House-passed budget resolution. The House has now passed 9 of the 13 regular appropriation measures. This Committee, observing the guidelines of the Senate-passed budget resolution, reported two fiscal year 1986 bills on July 25, 1985. These two bills—Legislative Branch and Energy-Water Development—passed the Senate on July 31 and August 1, respectively. Five more regular appropriation bills were reported by the Committee after the adoption of the fiscal year 1986 budget resolution conference report on August 1. The remaining six appropriations bills have yet to be reported by the Committee.

The Committee is dedicated to the appropriations process which realizes the enactment of 13 individual appropriation bills. While a majority of the fiscal year 1986 bills have been acted upon by the House, the Senate has had only limited opportunity to consider bills because of late action on the budget resolution and other delays in its legislative schedule. It is the desire of the Committee to conclude action on the regular bills as swiftly as possible and send them to the President for signature. The continuing resolution recommended by the Committee will provide temporary funding for the continued operation of the Government to allow time to achieve the enactment of the regular fiscal year 1986 appropriation bills.

SUMMARY

House Joint Resolution 388, as reported, provides temporary financing to continue the operation of the Government for the new fiscal year beginning October 1, 1985. The provisions of the continuing resolution are effective until November 14, 1985, and cover activities and programs under the 13 regular appropriation bills. Upon enactment of any of these bills during the period covered by this continuing resolution, the relevant provisions of this continuing resolution automatically cease to apply and the regular bill becomes the funding device.

As reported, this continuing resolution is identical to that which was passed by the House of Representatives on September 18, 1985.

LEVELS OF FUNDING UNDER THE RESOLUTION

As stated above, the continuing resolution provides temporary financing for Federal programs for 45 days, or until the regular appropriations bills are enacted. It is based on the status of appropriation bills as of the last day of the current fiscal year and provides three operating levels which are formulated to maintain existing programs at the minimum interim funding level practicable. These three operating levels are as described below:

For appropriation bills which have passed both the House and Senate by October 1, 1985, the funding amount for each program or activity is the lower of the House-passed or Senate-passed level and is provided under the more restrictive authority. These bills currently include the following:

Energy and Water Development Appropriation Act, 1986; and
Legislative Branch Appropriation Act, 1986.

For appropriation bills which have passed only the House and not the Senate by October 1, 1985, the funding amount for each program or activity is the lower of the current fiscal year 1985 or House-passed bill level and is provided under the more restrictive authority. These bills currently include the following:

Agriculture, Rural Development, and Related Agencies Appropriation Act, 1986;

Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, 1986;

District of Columbia Appropriation Act, 1986;

Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1986;

Department of the Interior and Related Agencies Appropriation Act, 1986;

Department of Transportation and Related Agencies Appropriation Act, 1986; and

Treasury, Postal Service, and General Government Appropriations Act, 1986.

Section 101(b) provides continuing authority, under the current terms and conditions and at a rate for operations not in excess of the current rate for programs and activities which are covered in the following Acts:

Foreign Assistance and Related Programs, 1985;

Military Construction, 1985; and

Departments of Labor, Health and Human Services, and Education and Related Agencies, 1985, and section 101(k) of Public Law 98–473.

Section 101(c) provides continuing authority under the current terms and conditions and at a rate for operations not in excess of the current rate for the Department of Defense Appropriation Act, 1985. Special provisions prohibit new starts and multiyear procurements and make the procurement of MX missiles contingent on all the limitations, restrictions, and conditions set forth in the conference report (H. Rept. 99–235) on the Department of Defense Authorization Act, 1986.

The resolution also provides for the continuation of existing provisions of law regarding the prohibition of federally funded abortions and the prohibition against preventing the implementation of programs of voluntary school prayer and meditation in the public schools.

FEEDING PROGRAM FOR WOMEN, INFANTS, AND CHILDREN [WIC]

For programs and activities funded under the Agricultural Appropriation Act, the continuing resolution provides the lower of the level in the House-passed bill or the fiscal year 1985 level, unless the Senate bill is passed by October 1. The Committee is aware that if Senate floor action does not occur by the start of the new fiscal year, this could present problems in the Feeding Program for Women, Infants, and Children [WIC]. Funding at the current fiscal year 1985 level could result in caseload reductions in some States over the next 45 days.

This problem need not occur if unspent fiscal year 1985 funds are used to supplement the appropriation provided under the continuing resolution. The Committee, therefore, directs the U.S. Department of Agriculture to allocate such unspent fiscal year 1985 funds as needed during the period covered by the continuing resolution, in addition to the funds provided by the resolution, to ensure that no State caseload reductions occur.

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